

Monday, September 28, 1998

Daily Digest

HIGHLIGHTS

The House agreed to Defense Appropriations Conference Report.

The House agreed to Energy and Water Development Conference Report.

Senate

Chamber Action

Routine Proceedings, pages S11007–S11068

Measures Introduced: Four bills were introduced, as follows: S. 2521–2524. **Page S11042**

Measures Reported: Reports were made as follows:

H.R. 700, to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians, with an amendment in the nature of a substitute. (S. Rept. No. 105–349)

S. 2351, to direct the Secretary of the Interior to make corrections to a map relating to the Coastal Barrier Resources System, with an amendment. (S. Rept. No. 105–350)

S. 2469, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System, with amendments. (S. Rept. No. 105–351)

S. 2470, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System, with an amendment in the nature of a substitute. (S. Rept. No. 105–352)

S. 2474, to direct the Secretary of the Interior to make corrections to certain maps relating to the Coastal Barrier Resources System, with an amendment. (S. Rept. No. 105–353)

S. 2505, to direct the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho, with an amendment. (S. Rept. No. 105–354)

H.R. 8, to amend the Clean Air Act to deny entry into the United States of certain foreign motor vehi-

cles that do not comply with State laws governing motor vehicles emissions. (S. Rept. No. 105–355)

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Measures Passed:

Year 2000 Information Disclosure Act: Senate passed S. 2392, to encourage the disclosure and exchange of information about computer processing problems, solutions, test practices and test results, and related matters in connection with the transition to the year 2000, after agreeing to the following amendments proposed thereto: **Pages S11062–68**

Roberts (for Hatch/Leahy/Kyl) Amendment No. 3669, in the nature of a substitute. **Pages S11064–65**

Roberts (for Thompson) Amendment No. 3670 (to Amendment No. 3669), to provide for the establishment of working groups as a part of the President's Year 2000 Council. **Pages S11064–65**

Convicted Persons Benefits: Senate passed H.R. 3096, to correct a provision relating to termination of benefits for convicted persons, clearing the measure for the President. **Page S11068**

Internet Tax Freedom Act: Senate considered the motion to proceed to consideration of S. 442, to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet. **Page S11039**

Senate will vote on the motion to close further debate on the bill on Tuesday, September 29, 1998.

Federal Vacancies Reform Act—Cloture Vote: By 53 yeas to 38 nays (Vote No. 289), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate failed to agree to close further debate on S. 2176, to amend sections

3345 through 3349 of title 5, United States Code (commonly referred to as the "Vacancies Act") to clarify statutory requirements relating to vacancies in and appointments to certain Federal offices.

Pages S11021–39

Higher Education Authorizations Conference Report—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the conference report on H.R. 6, to extend the authorization of programs under the Higher Education Act of 1965, on Tuesday, September 29, 1998, with a vote to occur thereon.

Page S11039

Defense Appropriations Conference Report—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the conference report on H.R. 4103, making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, on Tuesday, September 29, 1998, with a vote to occur thereon

Page S11039

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolution of ratification was agreed to, with one declaration and two provisos:

Montreal Protocol No. 4 (formerly Treaty Doc. Ex. B, 95–1)

Pages S11059–62

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the annual report of the Railroad Retirement Board for fiscal year 1997; referred to the Committee on Labor and Human Resources. (PM–160).

Page S11041

Nominations Confirmed: Senate confirmed the following nominations:

Carl J. Barbier, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Gerald Bruce Lee, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Patricia A. Seitz, of Florida, to be United States District Judge for the Southern District of Florida.

Steven Robert Mann, of Pennsylvania, to be Ambassador to the Republic of Turkmenistan.

Elizabeth Davenport McKune, of Virginia, to be Ambassador to the State of Qatar.

Melissa Foelsch Wells, of Connecticut, to be Ambassador to the Republic of Estonia.

Richard E. Hecklinger, of Virginia, to be Ambassador to the Kingdom of Thailand.

Theodore H. Kattouf, of Maryland, to be Ambassador to the United Arab Emirates.

William B. Traxler, Jr., of South Carolina, to be United States Circuit Judge for the Fourth Circuit.

Robert M. Walker, of Tennessee, to be Deputy Director of the Federal Emergency Management Agency.

Pages S11059, S11068

Nominations Received: Senate received the following nominations:

Alex R. Munson, of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands for a term of ten years.

Edward J. Damich, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Nancy B. Firestone, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Emily Clark Hewitt, of Massachusetts, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

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Messages From the President:

Page S11041

Messages From the House:

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Measures Read First Time:

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Communications:

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Statements on Introduced Bills:

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Additional Cosponsors:

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Amendments Submitted:

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Notices of Hearings:

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Authority for Committees:

Page S11056

Additional Statements:

Pages S11056–59

Record Votes: One record vote was taken today (Total—289)

Page S11039

Adjournment: Senate convened at 12 noon, and adjourned at 6:49 p.m., until 10 a.m., on Tuesday, September 29, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11068.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE FINANCE CONTROLS

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded oversight hearings to examine the effectiveness of financial controls at the Department of Defense, focusing on recent internal fraudulent activities, after receiving testimony from Sharon A. Brown, Joseph A. Wise, and Otas J. Horn, each a Systems Accountant, Air Force Material Command, Wendell L. Jones, Auditor, Air Force Audit Agency, Jeffrey C. Steinhoff, Director of Planning and Reporting, and

Gayle L. Fischer, Assistant Director of Defense Audits, both of the Accounting and Information Management Division, General Accounting Office, John S. Nabil, Director, Defense Finance and Accounting Service, and A. Ernest Fitzgerald, Management Systems Deputy, Office of the Assistant Secretary of the Air Force, all of the Department of Defense.

WENDELL H. FORD GOVERNMENT PUBLICATIONS REFORM ACT

Committee on Rules and Administration: Committee ordered favorably reported S. 2288, to provide for the reform and continuing legislative oversight of the production, procurement, dissemination, and permanent public access of the Government's publications, with an amendment in the nature of a substitute.

House of Representatives

Chamber Action

Bills Introduced: 5 public bills, H.R. 4650–4654, and 3 resolutions, H. Res. 557–559, were introduced. Page H9178

Reports Filed: Reports were filed today as follows:

H. Res. 494, to amend the Internal Revenue Code of 1986 with respect to the treatment of crops destroyed by casualty (H. Rept. 105–751);

H.R. 2943, to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor (H. Rept. 105–752);

H.R. 1608, to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have died in foreign conflicts other than declared wars (H. Rept. 105–753); and

H. Res. 558, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 105–754); and

H.R. 633, to amend the Foreign Service Act of 1980 to provide that the annuities of certain special agents and security personnel of the Department of State be computed in the same way as applies generally with respect to Federal law enforcement officers (H. Rept. 105–755 part 1). Page H9178

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Petri to act as Speaker pro tempore for today. Page H9085

Recess: The House recessed at 11:12 a.m. and reconvened at 12 noon. Page H9090

Suspensions: The House agreed to suspend the rules and pass the following measures:

Nutria Eradication and Control Pilot Program: H.R. 4337, to authorize the Secretary of the Interior to provide financial assistance to the State of Maryland for a pilot program to develop measures to

eradicate or control nutria and restore marshland damaged by nutria; Pages H9092–93

Migratory Bird Hunting and Conservation Stamp Promotion Act: H.R. 4248, amended, to authorize the use of receipts from the sale of the Migratory Bird Hunting and Conservation Stamps to promote additional stamp purchases; Pages H9094–95

Energy Conservation Reauthorization Act: H.R. 4017, amended, to extend energy conservation programs under the Energy Policy and Conservation Act through September 30, 2002. Subsequently, S. 417 was passed in lieu after being amended to contain the text of H.R. 4017. Agreed to amend the title. H.R. 4017 was laid upon the table; Pages H9096–H9104

Hydroelectric Project in Arkansas: H.R. 4081, to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Arkansas; Pages H9104–05

Africa: Seeds of Hope Act: H.R. 4283, to support sustainable and road-based agricultural and rural development in sub-Saharan Africa; Pages H9105–10

Designating Sidney R. Yates Federal Building: H.R. 4595, amended, to redesignate a Federal building located in Washington, D.C., as the “Sidney R. Yates Federal Building”. Agreed to amend the title; Pages H9117–18

Designating Richard C. White Federal Building: H.R. 3598, to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the “Richard C. White Federal Building”; Pages H9118–19

Designating Jere Cooper Federal Building: H.R. 2730, to designate the Federal building located at 309 North Church Street in Dyersburg, Tennessee, as the “Jere Cooper Federal Building”; Pages H9119–20

Designating Thurgood Marshall United States Courthouse: H.R. 2187, to designate the United

States Courthouse located at 40 Foley Square in New York, New York, as the "Thurgood Marshall United States Courthouse";

Pages H9120–21

Regarding Youth Performing Work with Wood Products: H.R. 4257, amended, to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products;

Pages H9121–24

Drive for Teen Employment Act: H.R. 2327, amended, to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors between 16 and 18 years of age who engage in the operation of automobiles and trucks. Agreed to amend the title.

Pages H9124–27

Suspensions—Failed: The House failed to pass H.R. 3891, amended, to amend the Trademark Act of 1946 to prohibit the unauthorized destruction, modification, or alteration of product identification codes (failed by a yea and nay vote of 245 yeas to 167 nays with $\frac{2}{3}$ required for passage, Roll No. 470).

Pages H9110–17, H9148

Defense Appropriations Conference Report: The House agreed to the conference report on H.R. 4103, making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, by a yea and nay vote of 369 yeas to 43 nays, Roll No. 471.

Pages H9127–34, H9148–49

Energy and Water Development Conference Report: The House agreed to the conference report on H.R. 4060, making appropriations for energy and water development for the fiscal year ending September 30, 1999, by a yea and nay vote of 389 yeas to 25 nays, Roll No. 472.

Pages H9134–40, H9149–50

Bankruptcy Reform Act: The House disagreed to the Senate amendment to H.R. 3150, to amend title 11 of the United States Code, and agreed to a conference. Appointed as conferees from the Committee on the Judiciary for consideration of the House bill, the Senate amendment, and modifications committed to conference: Representatives Hyde, McCollum, Gekas, Goodlatte, Bryant, Chabot, Conyers, Nadler, Boucher, and Jackson-Lee of Texas.

Pages H9140–47, H9150

Agreed to the Nadler motion to instruct conferees to agree to section 405 of the Senate amendment that prohibits creditors from terminating or refusing to renew an extension of credit because the consumer did not incur finance charges (agreed to by a recorded vote of 295 yeas to 119 noes, Roll No. 473).

Pages H9140–47, H9150

Resolution Regarding Jacob Chestnut and John Gibson: The House agreed to H. Con. Res. 317, expressing the sense of Congress that Members of Con-

gress should follow the examples of self-sacrifice and devotion to character displayed by Jacob Chestnut and John Gibson of the United States Capitol Police.

Pages H9150–51

Higher Education Amendments: The House agreed to the conference report on H.R. 6, to extend the authorization of programs under the Higher Education Act of 1965, by voice vote.

Pages H9151–62

Extending Quarterly Financial Report Program: The House passed S. 2071, to extend a quarterly financial report program administered by the Secretary of Commerce—clearing the measure for the President.

Pages H9162–63

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10:00 a.m. on Tuesday, September 29.

Page H9163

Presidential Message—Railroad Retirement Board: Read a message from the President wherein he submitted his annual report of the Railroad Retirement Board for fiscal year 1997—referred to the Committees on Transportation and Infrastructure and Ways and Means.

Page H9163

Senate Messages: Message received from the Senate today appears on page H9090.

Referral: S. 2511, to authorize the Secretary of Agriculture to pay employees of the Food Safety and Inspection Service working in establishments subject to the Federal Meat Inspection Act and the Poultry Products Inspection Act for overtime and holiday work performed by the employees, was referred to the Committees on Agriculture and Transportation and Infrastructure.

Page H9177

Quorum Calls—Votes: Three yea and nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H9148, H9148–49, H9149–50, and H9150. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 8:44 p.m.

Committee Meetings

PROTECTING CONSUMERS AGAINST CRAMMING AND SPAMMING

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on Protecting Consumers Against Cramming and Spamming. Testimony was heard from Eileen Harrington, Associate Director Marketing Practices, Bureau of Consumer Protection, FTC;

Lawrence E. Strickling, Deputy Bureau Chief, Common Carrier Bureau, FCC; Paula Selis, Senior Counsel, Office of Attorney General, State of Washington; and public witnesses.

AMERICAN WORKER PROJECT

Committee on Education and the Workforce: Subcommittee on Oversight and Investigations held a hearing on American Worker Project: Department of Labor—Financial Analysis and Management Accountability. Testimony was heard from the following officials of the Department of Labor: James McMullen, Deputy Assistant Secretary, Office of the Assistant Secretary, Administration and Management; Kenneth M. Bresnahan, Deputy Financial Officer, Office of the Chief Financial Officer; Bryan T. Keilty, Administrator, Office of Financial and Administrative Management; David C. Zeigler, Director, Administrative Programs (OSHA); and Patricia A. Dalton, Deputy Inspector General; and Carlotta C. Joyner, Director, Education and Employment Issues, GAO.

MISCELLANEOUS MEASURES

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology approved for full Committee action amended the following bills: H.R. 4620, the Statistical Consolidation Act of 1998; H.R. 2635, Human Rights Information Act; and H.R. 4614, to provide for the conveyance of Federal land in New Castle, New Hampshire, to the Town of New Castle, New Hampshire, and to require the release of certain restrictions with respect to land in such town.

CAMBODIA: WHERE DO WE GO FROM HERE?

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Cambodia: Where Do We Go From Here? Testimony was heard from Ralph L. Boyce, Deputy Assistant Secretary, East Asian and Pacific Affairs, Department of State; and public witnesses.

HUMAN RIGHTS IN BURMA

Committee on International Relations: Subcommittee on International Operations and Human Rights and the Subcommittee on Asia and the Pacific held a joint hearing on Human Rights in Burma. Testimony was heard from the following officials of the Department of State: Gare Smith, Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and Ralph Boyce, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs; and public witnesses.

THEODORE ROOSEVELT—MEDAL OF HONOR

Committee on National Security: Subcommittee on Military Personnel held a hearing on awarding the Medal of Honor to Theodore Roosevelt. Testimony was heard from Representatives McHale and Lazio; and public witnesses.

OVERSIGHT—GAO'S STUDY ON FOREST HEALTH

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on GAO's Office Study on Forest Health. Testimony was heard from Barry Hill, Associate Director, Energy, Resources and Science Issues, GAO; Janice McDougal, Associate Deputy Chief, State and Private Forestry, Forest Service, USDA; and public witnesses.

WAIVING TWO-THIRDS VOTE RULE

Committee on Rules: Granted, by voice vote, a rule waiving clause 4(b) of rule XI (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to a special rule reported on October 1, 1998, or October 2, 1998, providing for consideration or disposition of a conference report to accompany a bill or joint resolution making general appropriations for the fiscal year ending September 30, 1999, or any amendment reported in disagreement from a conference thereon.

REMOTE SENSING APPLICATIONS

Committee on Science: Subcommittee on Basic Research held a hearing on Remote Sensing Applications as a Research and Management Tool. Testimony was heard from Rita R. Colwell, Director, NSF; and public witnesses.

Joint Meetings

APPROPRIATIONS—AGRICULTURE

Conferees continued in evening session to resolve the differences between the Senate- and House-passed versions of H.R. 4101, making appropriations for Agriculture, Rural Development, and related agencies for the fiscal year ending September 30, 1999.

APPROPRIATIONS—TREASURY/POSTAL SERVICE

Conferees continued in evening session to resolve the differences between the Senate- and House-passed versions of H.R. 4104, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1999.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1039)

H.J. Res.128, making continuing appropriations for the fiscal year 1999. Signed September 25, 1998. (P.L. 105-240)

**COMMITTEE MEETINGS FOR TUESDAY,
SEPTEMBER 29, 1998**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services, to hold hearings to examine the status of United States military forces and their ability to successfully execute the National Military Strategy, 9 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs, Subcommittee on International Finance, to hold hearings to examine the Trade Promotion Coordinating Committee's annual report and the National Export Strategy, 10 a.m., SD-538.

Committee on Environment and Public Works, to hold hearings on H.R. 2863, to amend the Migratory Bird Treaty Act to clarify restrictions under that Act on baiting, and to facilitate acquisition of migratory bird habitats, 10 a.m., SD-406.

Committee on Foreign Relations, to hold hearings on the nominations of R. Rand Beers, of the District of Columbia, to be Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, and Simon Ferro, of Florida, to be Ambassador to the Republic of Panama, 10 a.m., SD-419.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see page E1844 in today's Record.

House

Committee on Commerce, Subcommittee on Finance and Hazardous Materials, hearing on Improving Price Competition for Mutual Funds and Bonds, 9:30 a.m., 2123 Rayburn.

Subcommittee on Health and Environment, hearing on H.R. 4431, the HIV Partner Protection Act, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, Subcommittee on Oversight and Investigations, hearing on Correcting Corruption: An Update on the Re-run of the 1996 Teamsters Election, 9 a.m., 2175 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on research in National Marine Sanctuaries, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, oversight hearing on Garrison Unit Reformulation; to be followed by a hearing on H.R. 1213, Perkins County Rural Water System Act of 1997, 2 p.m., 1324 Longworth.

Committee on Science, Subcommittee on Space and Aeronautics, the Subcommittee on Military Research and Development and the Subcommittee on Military Procurement, of the Committee on National Security, joint hearing on U.S. Spacepower in the 21st Century, 9 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, and the Subcommittee on Government Management, Information, and Technology of the Committee on Government Reform and Oversight and the Subcommittee on Technology of the Committee on Science, joint hearing to review Aviation Issues related to the Year 2000 Computer Problem Y2K: Will We Get There on Time?, 9:30 a.m., 2167 Rayburn.

Subcommittee on Coast Guard and Maritime Transportation, oversight hearing on the Overview of the U.S. Coast Guard's Drug Interdiction Strategy, 10 a.m., 2253 Rayburn.

Joint Meetings

Conferees, on S. 2206, to amend the Head Start Act, the Low-Income Home Energy Assistance Act of 1981, and the Community Services Block Grant Act to reauthorize and make improvements to those Acts, to establish demonstration projects that provide an opportunity for persons with limited means to accumulate assets, 11 a.m., H-137, Capitol.

Next Meeting of the SENATE

10 a.m., Tuesday, September 29

Senate Chamber

Program for Tuesday: Senate will consider the conference report on H.R. 6, Higher Education Authorizations, and the conference report on H.R. 4103, DOD Appropriations, 1999, with votes to occur thereon, and consider the motion to proceed to consideration of S. 442, Internet Tax Freedom Act, with a cloture vote to occur thereon.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, September 29

House Chamber

Program for Tuesday: Pro Forma Session.

Extensions of Remarks, as inserted in this issue

HOUSE

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Ensign, John E., Nev., E1843
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Frank, Barney, Mass., E1837
Gekas, George W., Pa., E1836
Gilman, Benjamin A., N.Y., E1840

Hamilton, Lee H., Ind., E1831
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Vento, Bruce F., Minn., E1832



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